

PTO/SB/17p (11-04)

Approved for use through 07/31/2007. OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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PETITION FEE
Under 37 CFR 1.17(f), (g) & (h)
TRANSMITTAL
(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/734,055
Filing Date	December 11, 2003
First Named Inventor	Robert Harold Bateman
Art Unit	2881
Examiner Name	Johnnie L. Smith II
Attorney Docket Number	03-M-03 85.80038/006

Enclosed is a petition filed under 37 CFR 1.313(c) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 23-0503:

☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments
Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.63(a) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

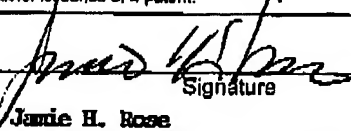
For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.138(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.298 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
- § 1.556 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 6.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.19(a) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.81 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.


Signature

Jamie H. Rose

Typed or printed name

November 7, 2005

Date

45,054

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No.: 03-MM-03 85.80038/006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bateman et al.
Serial No.: 10/734,055
Filing Date: December 11, 2003
Title: ION DETECTOR

Examiner: Johnnie L. Smith II
Art Unit: 2881
Confirmation No.: 8996

Mail Stop 313(c)
Office of Petitions
PO Box 1450
Alexandria, VA 22313-1450

**Petition Under 37 CFR § 1.313(c) to Withdraw Application from Issue After
Payment of the Issue Fee**

Dear Sir:

1. Applicants request withdrawal of the above-referenced application from issue for consideration of an IDS submitted on August 26, 2005 and received by the USPTO on August 29, 2005.
2. A Notice of Allowance was first mailed from the USPTO on February 14, 2005, and the Issue Fee Transmittal was returned and received by the USPTO on May 9, 2005.
3. Prior to issue, a Petition to Withdraw from Issue, an RCE, and a supplemental IDS were all mailed to the USPTO on May 25, 2005.
4. A second Notice of Allowance was mailed from the USPTO on August 9, 2005. The second Notice of Allowance credited the application for the issue fee received by the USPTO on May 9, 2005.
5. In response to receipt of an action from the German Patent Office in a German counterpart application, Applicants submitted the IDS of August 26, 2005 under 37 CFR § 1.97(d). At that time, Applicants did not submit a Petition to Withdraw from Issue.
6. Withdrawal of the application from issue is necessary for consideration of the RCE, submitted herewith, and the IDS submitted on August 26, 2005.
7. The Commissioner is authorized to charge the Petition fee of \$130, as set forth in 1.17(h), to Deposit Account No. 23-0503.

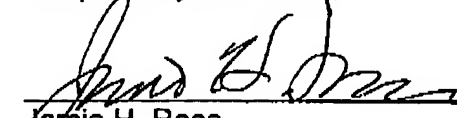
Application Ser. No.: 10/734,055
Petition to Withdraw Application from Issue
Page 2 of 2

8. The Request for Continued Examination (RCE) is enclosed herewith under 37 C.F.R. § 1.313(c)(2).

Reg. No. 45,054
Customer No. 43840
Tel. (508) 482-2714

November 7, 2005

Respectfully submitted,


Jamie H. Rose
Attorney for Applicant(s)

PTO/SB/30 (04-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/734,055
Filing Date	December 11, 2003
First Named Inventor	Robert Harold Bateman
Art Unit	2881
Examiner Name	Johnnie L. Smith II
Attorney Docket Number	03-MM-03 85.80038/006

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☒ Other IDS submitted on August 26, 2005

- b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☒ Other Petition under 37 CFR 1.313(c)

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 23-0503. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

- b. ☐ Check in the amount of \$ _____ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Janie H. Rose</i>	Date	November 7, 2005
Name (Print/Type)	Janie H. Rose	Registration No.	45,054

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE/Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Janie H. Rose</i>	Date	November 7, 2005
Name (Print/Type)	Janie H. Rose		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV730188771US

Docket No. 03-MM-03 85.80038/006



Serial No. 10/734,055 Filed: December 11, 2003

Inventor(s): Robert Harold Bateman

Title: Mass Spectrometer



- ✓ Transmittal - PTO/SB 21 (1 sheet) / Certificate of Mailing
- ✓ Petition fee form PTO/SB/17p (1 sheet)
- ✓ Request for Continued Examination (RCE) (1 sheet)
- ✓ Prepaid Return Postcard
- ✓ PETITION UNDER 37 CFR § 1.313(c)

 EV 730188771 US		Customer Copy <small>Label 11-F, April 2004</small>	
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LMA1-1916		[Stamp: NOV 7 2005]	
FOR PICKUP OR TRACKING: Visit www.usps.com or Call 1-800-222-1811			

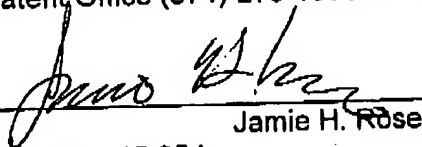
UNITED STATES PATENT & TRADEMARK OFFICE

Docket No. 03-MM-03 85.80038/006
Application No. 10/734,055
Filing Date: December 11, 2003
Title: Mass Spectrometer
Inventor(s): Bateman, et al

Attention: Paula Britain
USPTO

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being facsimile transmitted to
United States Patent Office (571) 273-1556 on June 9, 2006.



Jamie H. Rose

Registration No. 45,054
Tel. No. (508) 482-3869
Customer No. 43840

Note: This certificate identifies below each submitted paper.

X Complete copy of November 7, 2005 submission, as requested
during our telephone conversation of June 9, 2006.

(total number of sheets including facsimile cover sheet is 7)

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
(37 CFR § 1.10) No. EV 730188771 US

Docket No. 03-MM-03 85.80038/006

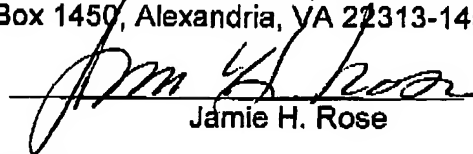
APPLICANT: Bateman, et al.

SERIAL NO.: 10/734,055
Filing Date: December 11, 2003
TITLE: ION DETECTOR

Examiner: Johnnie L. Smith II
Art Unit.: 2881
Confirmation No.: 8996

Mail Stop RCE
Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that the correspondence identified in the transmittal below is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 7, 2005



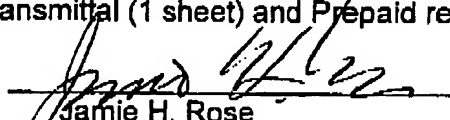
Jamie H. Rose

TRANSMITTAL LETTER

Enclosed for filing in the above identified patent case are the following documents:

Certificate of Mailing / Transmittal Letter (1 sheet), Petition Under 37 CFR §1.313(c) (1 sheet); Petition Fee form PTO/SB17p (1 sheet), Request for Continued Examination (RCE) Transmittal (1 sheet) and Prepaid return postcard.

November 7, 2005
Customer No. 43840



Jamie H. Rose
Attorney for Applicant
Reg. No. 45,054